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17 *Attorneys for Plaintiff*  
18 *Lightwire, LLC*

19 **UNITED STATES DISTRICT COURT**  
20  
21 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

|    |   |   |                              |
|----|---|---|------------------------------|
| 22 | Lightwire, LLC, a California limited    | ) | Case No. 3:18-cv-01163       |
| 23 | liability company,                      | ) |                              |
| 24 |   | ) | <b>COMPLAINT FOR</b>         |
| 25 | Plaintiff,                              | ) | <b>INFINGEMENT OF U.S.</b>   |
| 26 |   | ) | <b>PATENT 6,335,678</b>      |
| 27 | v.                                      | ) |                              |
| 28 |   | ) | <b>DEMAND FOR JURY TRIAL</b> |
|    | OnePlus Inc., a California corporation. | ) |                              |
|    |   | ) |                              |
|    | Defendant.                              | ) |                              |
|    |   | ) |                              |

1 This is an action for patent infringement in which Lightwire, LLC (“Plaintiff”)  
2 makes the following allegations against OnePlus, Inc. (“Defendant”).

3  
4 **NATURE OF THE ACTION**

5 1. This is a patent infringement action to stop Defendant’s infringement of  
6 United States Patent No. 6,335,678 (“the ‘678 Patent”).

7 2. This patent infringement action arises under the patent laws of the  
8 United States, including 35 U.S.C. §§ 271, et seq.

9  
10 **PARTIES**

11 3. Plaintiff is a California limited liability company with its principal place  
12 of business at 177 East Colorado Boulevard, Suite 200, Pasadena, CA 91101.

13 4. On information and belief, Defendant is a California corporation, with a  
14 principle place of business located at 4017 Marjorum Ter, Fremont, California 94538.

15  
16 **JURISDICTION AND VENUE**

17 5. This Court has subject-matter jurisdiction over this action pursuant to 28  
18 U.S.C. §§ 1331 and 1338(a).

19 6. The Court has personal jurisdiction over Defendant because it (either  
20 directly or through its subsidiaries, divisions or groups) has sufficient minimum  
21 contacts with the forum as a result of business conducted within the State of  
22 California and this district; and/or specifically over Defendant (either directly or  
23 through their subsidiaries, divisions, groups or distributors) because of its infringing  
24 conduct within or directed at the State of California and this district.

25 7. More specifically, Defendant, directly and/or through its intermediaries,  
26 makes, distributes, imports, offers for sale, sells, advertises and/or uses the accused  
27 products identified herein that include the claimed device of the ‘678 Patent in the  
28 State of California. Defendant has committed patent infringement in the State of

1 California and solicits customers in the State of California. Defendant has paying  
 2 customers who are residents of the State of California and who purchase and/or use  
 3 Defendant's infringing products in the State of California. Further, Defendant has an  
 4 interactive website that is accessible from the State of California.

5 8. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b).  
 6 On information and belief, Defendant has transacted business in this district, and has  
 7 committed acts of patent infringement in this district.

8 9. More specifically, Defendant, directly and/or through its intermediaries,  
 9 makes, distributes, imports, offers for sale, sells, advertises and/or uses, devices  
 10 including the accused devices identified herein, that infringe claims of the '678 Patent  
 11 in the State of California. Defendant has committed patent infringement in the State  
 12 of California and solicits customers in the State of California. Defendant has paying  
 13 customers who are residents of the State of California and who purchase and/or use  
 14 Defendant's infringing products in the State of California.

### 15 **FACTS**

16 10. Plaintiff is the owner, by assignment, of the '678 Patent, entitled  
 17 "Electronic Device, Preferably an Electronic Book" – including all rights to recover  
 18 for past and future acts of infringement – which was duly issued on January 1<sup>st</sup>, 2002  
 19 by the United States Patent and Trademark Office.

20 11. A true and correct copy of the '678 Patent is attached as **Exhibit A**.

21 12. The claims of the '678 Patent are valid and enforceable.

### 22 **COUNT I - INFRINGEMENT OF U.S. PATENT NO. 6,335,678**

23 13. Plaintiff hereby incorporates by reference the allegations of paragraphs  
 24 1 through 12 of this complaint as if fully set forth herein.

25 14. Infringement by Defendant includes, without limitation, making,  
 26 distributing, importing, offering for sale, selling, advertising, and/or using, without  
 27 limitation electronic devices (collectively referred to hereinafter as "Accused  
 28

1 Devices”) infringing at least claim 1 of the ‘678 Patent. The Accused Devices include  
2 electronic devices used for reading. Electronic reading devices, like the Accused  
3 Devices, enable the user to comfortably read electronic books, store data, and  
4 communicate data with peripheral devices.

5 15. The Accused Devices include, for example and without limitation,  
6 Defendant’s OnePlus 5. A detailed claim chart is incorporated herein by reference  
7 and attached at **Exhibit B**.

8 16. Defendant is thus liable for infringement of the ‘678 Patent under 35  
9 U.S.C. §271.

10 17. Each of Defendant’s aforesaid activities has been without authority  
11 and/or license from Plaintiff.

12 18. Plaintiff is entitled to recover from Defendant the damages sustained by  
13 Plaintiff as a result of Defendant’s wrongful acts in an amount subject to proof at  
14 trial, which by law cannot be less than a reasonable royalty, together with interest and  
15 costs as fixed by this court under 35 U.S.C. § 284.

16  
17 **PRAYER FOR RELIEF**

18 WHEREFORE, Plaintiff respectfully requests that this Court enter a  
19 judgment:

- 20 1. In favor of Plaintiff that Defendant has infringed the ‘678 Patent;  
21 2. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and  
22 prejudgment and post-judgment interest for Defendant’s infringement of the ‘678  
23 Patent as provided under 35 U.S.C. § 284; and  
24 3. Granting Plaintiff any and all other relief to which Plaintiff may show  
25 itself to be entitled.  
26  
27  
28

**DEMAND FOR JURY TRIAL**

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Dated: February 22, 2018

Respectfully submitted,

LAW OFFICE OF J. CURTIS EDMONDSON

By: s/ Kiren Rockenstein

Kiren Rockenstein

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